

Contacts for Further Information

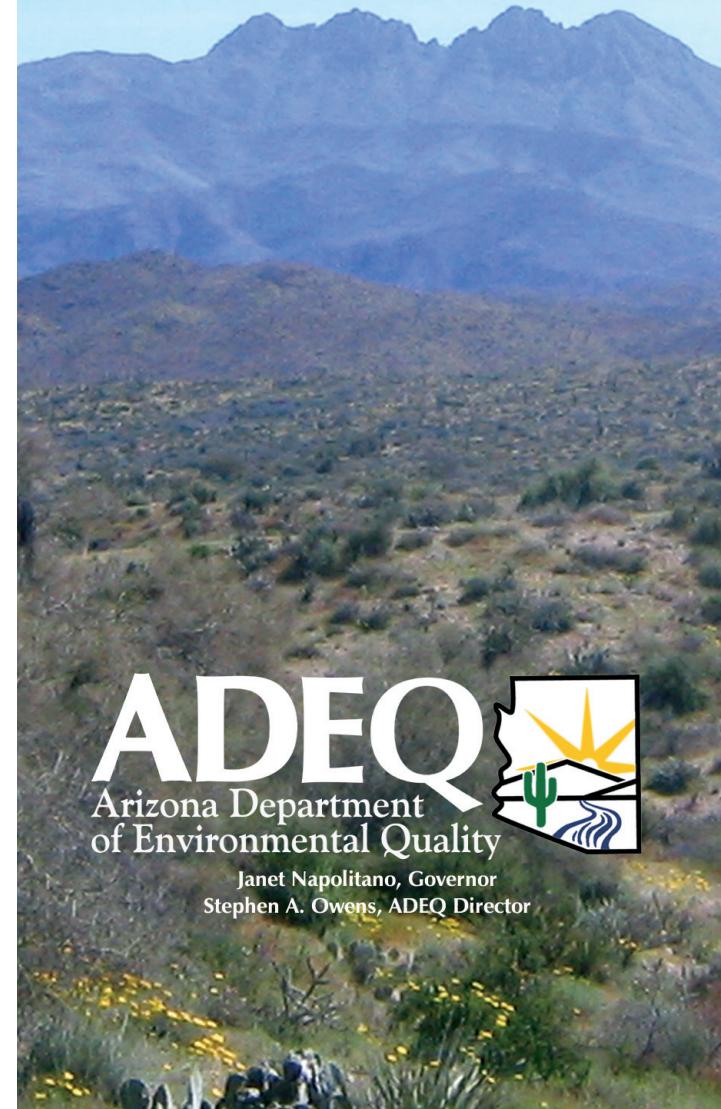
If you are considering applying for a Declaration of Environmental Use Restriction, please contact ADEQ for assistance.

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DEUR Coordinator
(602) 771-4397
(800) 234-5677 Ext. 771-4397

or visit the ADEQ website at:
www.azdeq.gov/environ/waste/cleanup/deur.html



Declaration of Environmental Use Restriction



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*For more information about ADEQ, please
visit our Web site at: azdeq.gov*

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Janet Napolitano, Governor
Stephen A. Owens, ADEQ Director

What is a DEUR?

The Declaration of Environmental Use Restriction (DEUR) is a restrictive covenant designed to:

1. Document institutional and engineering controls
2. Allow closure at a site with contamination
3. Ensure appropriate future use of the site

The purpose of a DEUR is to ensure that current and future property owners are aware of contamination on a site and take appropriate actions to prevent unacceptable exposure to the contamination. A DEUR can include institutional or engineering controls. The DEUR remains in effect and is monitored by ADEQ until the property owner demonstrates that releasing the DEUR is appropriate.

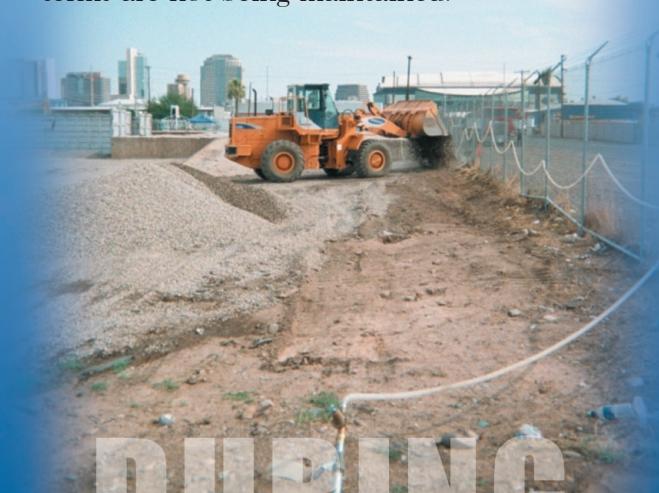


BEFORE

How does the DEUR work?

A DEUR runs with and burdens the land and allows ADEQ to take actions necessary to ensure that engineering or institutional controls are maintained throughout the life of the DEUR.

DEUR statute also allows ADEQ to collect fees necessary for oversight and potential long term maintenance of a DEUR. The DEUR fee must be submitted to ADEQ at the time the DEUR is submitted for approval. A DEUR may be applied to a site with soil or groundwater contamination at the discretion of the ADEQ program overseeing the cleanup. Once a DEUR is in place, the property owner is responsible for maintaining the terms of the DEUR and submittal of an annual report to the department demonstrating that the DEUR provisions are being maintained. ADEQ may visit the property and conduct an inspection to ensure compliance with the terms of the DEUR and take appropriate enforcement action if the terms are not being maintained.



DURING

How does it help redevelopment?

Similar to other risk-based closure tools, the DEUR allows a property to be closed with contamination still present. Through the risk evaluation process, a predetermined or site-specific cleanup level can be identified and used to allow closure, while still preventing unacceptable exposure. The DEUR documents the closure requirements and maintains notice of those requirements for the entire time that contamination is still present at a site. Use of this tool often allows properties to be safely closed in a shorter time frame, and at less expense than a full scale cleanup, allowing the property to be redeveloped, sold or otherwise put to productive use earlier.



AFTER